



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/750,742

12/28/2000

Joseph W. Cole

COLEI.0006P

7208

32856 7590 12/28/2010

WEIDE & MILLER, LTD.  
7251 W. LAKE MEAD BLVD.  
SUITE 530  
LAS VEGAS, NV 89128

EXAMINER

COBURN, CORBETT B

ART UNIT

PAPER NUMBER

3714

MAIL DATE

DELIVERY MODE

12/28/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/750,742	COLE ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Corbett B. Coburn	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 61-69 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 61-69 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 61, 62, 64-69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeigert (US Patent Number 5,332,076) in view of Fey (Slot Machines, A Pictorial History of the First 100 Years.) (See NPL of 27 September 2002.)

**Claim 61:** Zeigert teaches the invention substantially as claimed (see previous rejection), but fails to teach a third & fourth slot machine arranged on the other side of the base unit & a second wager accepting unit for the 2<sup>nd</sup> player – i.e., placing gaming machine boxes back-to-back. Fey's cover shows an entire room of slot machine boxes placed back-to-back. This is an efficient utilization of casino floor space. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Zeigert in view of Fey to arrange the systems back-to-back in order to make efficient use of casino floor space.

Nor does Zeigert teach a shelf (i.e., 1<sup>st</sup> & 2<sup>nd</sup> playing surfaces). Shelves are of immemorial antiquity. One of ordinary skill would certainly know how to put a shelf (or two) on a cabinet holding gaming machines. No one on earth could argue that putting a shelf on the cabinet would lead to anything except the most predictable results. One of ordinary skill would know that people who use slot machines would like to have a place to put things – a purse, a snack, a drink, or

Art Unit: 3714

even a bingo card. This would motivate one of ordinary skill to add such a shelf. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Zeigert to include the claims 1<sup>st</sup> & 2<sup>nd</sup> playing surfaces in order to provide the player with a surface upon which to rest their possessions while playing.

**Claim 62, 64, 69:** The size of a shelf is a matter of design choice.

**Claims 65, 66, 68:** The height of the cabinet, the location of controllers within the cabinet and the physical location of devices (i.e. keypads) associated with the cabinet, the shape of the cabinet are all a matter of design choice. Such factors do not patentably distinguish over the prior art since they do not solve any stated problem or produce unexpected results. Simply put, the designer may build the cabinet in any configuration desired without changing the workings of the device.

**Claim 67:** Providing a transparent cover to the 1<sup>st</sup> & 2<sup>nd</sup> playing surfaces that may be raised and lowered is well within the level of ordinary skill. Adding such covers would certainly yield predictable results. Those of ordinary skill know that in the casino environment, players may be carrying planar objects (i.e., money, credit cards, receipts, payout vouchers, bingo cards, keno cards, etc.) which they do not wish to lose. Having a transparent cover on the shelf would allow the player to place these planar items under the cover for safe keeping. Then they could not blow away or be picked up by a passing stranger. Making the cover transparent would keep the player from forgetting that the items were under the cover. It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Zeigert to include a transparent cover

Art Unit: 3714

that can be raised and lowered using a hinge on the shelves in order to allow the player to safely place his planar items on the shelf while playing.

3. Claims 63 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zeigert & Fey as applied to claim 61 in view of Walker (US Patent Number 6,113,495).

**Claim 63:** Zeigert teaches the invention substantially as claimed. Zeigert fails to teach a video selector adapted to provide non-gaming video data from a non-game video feed to either of the 1<sup>st</sup> or 2<sup>nd</sup> video displays. Walker teaches displaying all game information and a non-game video feed (i.e., television programming) on a single display. Video display area (346) displays video feed and slot machine reels. (Col 7, 17-49) Walker teaches that displaying video enhances player retention. (Title) It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Zeigert in view of Walker to include a non-game video feed to the first or second display such that the player may see the video feed on one of the same displays presenting the first and second game information in order to enhance player retention.

Walker teaches a gaming machine with two video screens (362 & 346). The video feed may be displayed on either device. Player interface (370) is used to select the desired video and must be used to determine which display the video is played on since the video is not played on both displays. This is the claimed “at least one selector”.

### **Response to Arguments**

4. Applicant's arguments with respect to claims 61-69 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 3714

### **Conclusion**

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (571) 272-4447. The examiner can normally be reached on 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (571) 272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Corbett B. Coburn/  
Primary Examiner  
Art Unit 3714